

**DECLARATION UNDER 37 CFR § 1.47 AND 37 CFR § 1.64  
REGARDING NON-SIGNING INVENTOR**


I, Brian Douglas Jenkins, hereby declare as follows:

1. I am a Director of H2O Holdings Pty Ltd. ("H2O Holdings") in Australia.
2. In this capacity with H2O Holdings, I worked together with John Barry Finn, who was also a Director of H2O Holdings at the time.
3. Working together, Mr. Finn and I jointly conceived and developed as co-inventors the invention entitled **A DISTILLATION UNIT AND A METHOD OF DISTILLATION**, for which U.S. Patent Application Serial No. 10/534,222 was filed on May 6, 2005.
4. Mr. Finn has ceased being an active Director of H2O Holdings and refuses to sign the inventor's declaration for this application.
5. I am advised that Mr. Finn's last known address is:

John Barry Finn  
1 Ourimbah Street  
Lisarow, New South Wales 2250  
Australia

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 18<sup>th</sup> SEPTEMBER, 2005

  
Brian Douglas Jenkins

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No. : 123-002  
 First Named Inventor: : John Barry FINN  
 Application No. : 10/534,222  
 Filing Date : May 6, 2005  
 Art Unit :  
 Examiner's Name: :  
 Customer Number: : 47533

**DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION,  
AND POWER OF ATTORNEY (WITH AUTHORIZATION RE AGENT)**

☐ Declaration Submitted with Initial Filing      OR      ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

As a below named inventor, I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to his/her name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled **A DISTILLATION UNIT AND A METHOD OF DISTILLATION**, the specification of which:

☐ is attached hereto

OR

☒ was filed on May 6, 2005 as U.S. Application No. 10/534,222

☐ and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

**CLAIM FOR FOREIGN PRIORITY**

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Priority Date (MM/DD/YY)	Priority Claimed?
2002952560	Australia	11/08/2002	Yes
2003900340	Australia	01/28/2003	Yes
2003902401	Australia	05/19/2003	Yes
2003903947	Australia	07/30/2003	Yes
PCT/AU03/01480	PCT	11/10/2003	Yes

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### POWER OF ATTORNEY

I appoint the following as my attorneys with full power of substitution and revocation, to prosecute said application and all continuations, continuations-in-part, and divisional applications associated therewith, and to transact in connection therewith all business in the Patent and Trademark Office and before competent International Authorities:

☒ The attorneys associated with PTO Customer No. 47533

Please address all correspondence to:

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Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

**Full name of sole or first inventor: John Barry FINN**

Inventor's signature \_\_\_\_\_ Date AM  
Residence (city, state, country): Lisarow, New South Wales, Australia  
Citizenship: Australia  
Post Office Address: 1 Ourimbah Street  
City/State/Zip: Lisarow, New South Wales, 2250  
Country: Australia

**Full name of second inventor: Brian Douglas JENKINS**

Inventor's signature Brian D. Jenkins Date 15 JUNE 2005  
Residence (city, state, country): Wyong, New South Wales, Australia  
Citizenship: Australia  
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